

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/03/2000

11/01/2000

CLERK OF THE COURT
FORM R115B

HONORABLE DAVID R. COLE

M L Harris
Deputy

CR 1999-005838

FILED: _____

STATE OF ARIZONA

DINA ANAGNOPOULOS

v.

JAMES M FURLONG

JAMES M FURLONG
3712 W NORTHERN #450
PHOENIX AZ
85051-0000
MARGARITA SILVA

DOB: 07/06/1961

APO-SENTENCE IMPRISONMENT-CCC
APPEALS-CCC
DISPOSITION CLERK-CCC
RFR
VICTIM WITNESS DIV-CA-CCC

DISPOSITION HEARING-PROBATION REVOKED - IMPRISONMENT

11:16 a.m. This is the time set for Disposition Hearing (Oral Report). State is represented by Kristin L. Larish appearing for Dina Anagnopoulos, Deputy County Attorney. Defendant is present on his own behalf assisted by Margarita Silva, Deputy Public Defender.

Court Reporter, Jenness Salsalbe, is present.

Probation Officer, Brandi Strieter makes oral recommendation to the Court.

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Albert Paul Furlong, brother of the defendant, is given the opportunity to address the Court.

Darrell Robert Kessler, employer of the defendant, is given the opportunity to address the Court.

State is represented by Dina Anagnopoulos, Deputy County Attorney.

Counsel informs the Court that there is no further evidence to present.

Pursuant to A.R.S. Section 13-607, the Court finds the Defendant knowingly, intelligently and voluntarily waived his right to be represented by counsel after being advised of the right to be represented by counsel including the right to have counsel appointed free of charge if the Defendant is indigent.

The Defendant is given an opportunity to speak. Having found no legal cause for delay, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant violated the terms of probation imposed on 04/13/2000 on the following charge(s), that upon consideration of all the facts, law, and circumstances relevant here, the Court finds that suspension of sentence and reinstatement of probation are not appropriate and that a sentence of imprisonment with the Department of Corrections is appropriate.

IT IS THEREFORE ORDERED the probationary term previously granted is hereby revoked.

THE COURT FURTHER FINDS that there are circumstances sufficiently substantial to call for the term as indicated. These circumstances are stated by the Court on the record.

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ACCORDINGLY, IT IS ORDERED that the Defendant is committed to the Arizona Department of Corrections for a term of imprisonment as follows:

OFFENSE: **COUNT 1: AGGRAVATED ASSAULT**

FELONY CLASS: 5

IN VIOLATION OF A.R.S. SECTIONS 13-1204(A)(7)&(B), 13-1203(A)(1), 13-701, 13-702, 13-702.01, and 13-801

DATE OF OFFENSE: January 29, 1999

SENTENCE: **2 YEARS**

AGGRAVATED

NONDANGEROUS

NONREPETITIVE

This sentence is to date from November 1, 2000.

The Defendant is to be given credit for 29 days served prior to sentencing.

This sentence is to be concurrent with CR98-14932.

IT IS FURTHER ORDERED that the Defendant shall serve one day for every seven days of the sentence imposed under the supervision of the Community Supervision Program, to be served consecutively to the actual period of imprisonment.

RESTITUTION: IT IS ORDERED the Defendant shall make and pay restitution to the victim(s) of this crime, for the economic loss of the victim(s), through the Clerk of the Superior Court in the total amount of \$144.00. Restitution is owed in the following amounts to the following persons:

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Michael Ford

\$144.00

Pursuant to A.R.S. Section 31-254(D) and (E),

Payment shall be 30% of Defendant's earnings while incarcerated at the Department of Corrections commencing November 1, 2000 and to continue until Defendant is released from the custody of the Department of Corrections. Upon release from the Department of Corrections, payment shall commence on the first day of the second month after Defendant is released from the Department of Corrections and said payment shall not be less than \$20.00 per month.

Restitution ledger provided.

IT IS FURTHER ORDERED that Defendant be given credit for any monies paid to date.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS FURTHER ORDERED dismissing any outstanding Petition to Revoke Probation filed in this case.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the custody of the Arizona Department of Corrections and authorizing the Department of Corrections to carry out the term of imprisonment set forth herein.

ISSUED: Order of Confinement.

IT IS FURTHER ORDERED that the Clerk of the Superior Court remit to the Department of Corrections a copy of this order together with all presentence reports, probation violation reports, medical and psychological reports which are not sealed relating to the Defendant and involving this cause.

FILED: Notice of Rights of Review after Conviction

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cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

11:56 a.m. Matter concludes.

/s/ HONORABLE DAVID R. COLE
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)